

## Remarks

In the present RCE, claims 1-29 are presented for examination.

### **Claim Rejections: 35 USC § 103(a)**

Claims 1-8, 10-20, 22, and 23 are rejected under 35 USC § 103(a) as being unpatentable over US publication number 2001/0053688 (Rignell) in view of USPN 6,549,770 (Marran) and WO 98/38823 (Lawrence). Claim 9 is rejected under 35 USC § 103(a) as being unpatentable over Rignell, Marran, Lawrence, and US publication number 2003/0295753 (Homuth). Claim 21 is rejected under 35 USC § 103(a) as being unpatentable over Rignell, Marran, Lawrence, and US publication number 2002/0178241 (Eriksson). Claims 27-28 are rejected under 35 USC § 103(a) as being unpatentable over Rignell, Marran, Lawrence, and US publication number 2004/0215830 (Shenfield). Claims 24-26 are rejected under 35 USC § 103(a) as being unpatentable over Rignell in view of Lawrence. Claim 20 is rejected under 35 USC § 103(a) as being unpatentable over Rignell, Lawrence, and Shenfield. These rejections are moot in view the amendments to the claims.

Each of the independent claims recites one or more elements that are not taught or suggested in the art. These missing elements show that the differences between the combined teachings in the art and the recitations in the claims are great. As such, the pending claims are not a predictable variation of the art to one of ordinary skill in the art.

As one example, independent claim 1 recites receiving, to the database from software application developers, updates or patches that match problem criteria of the mobile device issues. As another example, independent claim 14 recites that the database is accessible to hardware vendors and software application developers to provide updates and patches to the database for fixing software problems in mobile devices. As yet another example, independent claim 24 recites a mobile device wherein the device profile data is accessible by software application developers and hardware vendors to provide fixes for bugs in software in the mobile device. The art of record does not teach or suggest these elements.

The differences between the claims and the teachings in the art are great since the references fail to teach or suggest all of the claim elements. As such, the pending claims are not a predictable variation of the art to one of ordinary skill in the art.

For at least these reasons, the claims are allowable over the art of record.

### **CONCLUSION**

In view of the above, Applicants believe that all pending claims are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to Philip S. Lyren at Telephone No. 832-236-5529. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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